

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Senior Citizen Center, Shade Tree Lane, Riverhead, New York, on Tuesday, May 3, 2005, at 7:00 p.m.

**Present:**

Edward Densieski,	Councilman
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

**Absent:**

Philip Cardinale,	Supervisor
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Councilman Densieski called the meeting to order.

Councilman Densieski: "Good evening. Welcome to the May 3<sup>rd</sup> town board meeting. I would like to state that Supervisor Cardinale will not be here tonight. He had a death in the family. The Town Board sends its sincere condolences. He asked me to sit here in his stead.

With that said, we're going to get the meeting started and we'd like to make some acknowledgments first so if we could first have Madelyn- the pledge- first, we'll have the pledge."

(At this time, the Pledge of Allegiance was recited)

Councilman Densieski: "If we could ask Madelyn and any members of the association to come up and the town board members to step down."

Madelyn Sendlewski: "Test, test, test. Can you hear? Good. Good evening, ladies and gentlemen. My name is Madelyn Sendlewski and I'm the co-Chair of the town of Riverhead Labor/Management Committee. I'm here along with my co-committee member, Barbara Grattan. Unfortunately we are the only two present from the committee this

evening but one of the pleasures we have as a committee is acknowledging those employees who have excelled in their position and who have gone beyond the call of duty and we're happy this evening to announce the Employee of the Quarter for the first quarter of 2005.

I'm also going to ask family members to join but I'm going to ask you all to please join me in an applause for our recipient, Miss Debbie Schwarz, on the senior center. Debbie, where are you? Where is she? Come on down, Deb. Good job.

Debbie is receiving this recommendation based on, excuse me, this award based on a recommendation by her superior, that would be Judy Doll, and Debbie has with her, her little grandson who is crying for grandma right now. We want to ask James and daughter-in-law Michelle to come down. And we'd also like to invite Mom, Marie, and Joe, stepdad, to please step down as well. Michelle would like you down here with her. We'll give them a second to get down.

That's okay, take your time folks. You can come right here by your daughter and we shall move down and without any more being said by us, I will pass the mike to Councilwoman Barbara Blass who is going to award Debbie with her proclamation."

Barbara Blass: "Thank you, Madelyn. Good evening everybody. This is indeed a wonderful occasion when we get to honor one of our very valued employees and Debbie is one such individual. If you'd bear with me, I'd like to read the proclamation that was prepared on her behalf and presented on behalf of the Supervisor and my colleagues on the Riverhead town board. And it reads:

WHEREAS, Debbie Schwarz has been a valued employee of the town of Riverhead Senior Citizen Department since 1986; and

WHEREAS, Miss Schwarz' excellent performance as a part time home aid led logically to her promotion four years ago to the important position of site manager of the senior council- center, pardon me; and

WHEREAS, in her role as site manager, Miss Schwarz' consistently goes beyond- goes the extra mile performing not only her own duties in exemplary fashion, but going beyond the scope of her job description whenever needs require.

WHEREAS, though performing her responsibility in a quiet unassuming manner, the results of Miss Schwarz' achievements are enormous in that she creates a warm, inviting environment for

Riverhead's seniors.

WHEREAS, because of Miss Schwarz' hard work and dedication, the Labor Management Committee has recently named her Employee of the Quarter for the first quarter of 2005.

NOW, THEREFORE, BE IT RESOLVED, that I, Phil Cardinale, Supervisor of the Town of Riverhead and the rest of the members of the Riverhead Town Board add our congratulations to Miss Debbie Schwarz as Employee of the Quarter for the first quarter, 2005.

Congratulations."

Debbie Schwarz: "I'll try. First I'd like to thank Labor/Management, the town board. I'd like to thank Judy Doll for all her years of encouragement and saying yes, you can. My co-workers in every department, the drivers, the kitchen, maintenance, the office, day care, everybody in seniors, it's really a great place to work.

And most of all, I'd like to thank the seniors for coming in every day. Our special group, Rita, Etta, Big John, the Wendalls (phonetic), Barbara and John, Virginia Hansen, Lilly- she's not here, Carmen, everybody on the site council. You guys are great. Thank you so much."

Madelyn Sendlewski: "In addition, Debbie will be getting a \$100.00 savings bond and a day off with pay. The day off with pay includes a Monday or a Friday of her choice. Thank you, Debbie."

Councilwoman Blass: "Thanks again, Debbie."

Councilwoman Sanders: "Congratulations."

Councilman Densieski: "We also have another award the Senior Site Council, if those members could please step forward. Councilwoman Sanders would like to say a few words and read the proclamation."

Councilwoman Sanders: "Don't be shy, step right up. Okay. How are you?"

Do we have everybody? Well, these are the members of the Site Council that make things happen and they're the movers and the shakers so we're glad have them and we would like to present them with a proclamation.

WHEREAS, it is fitting and proper for residents of the Town of Riverhead to recognize and celebrate the enormous contributions that our senior citizens make to the well being of our community.

WHEREAS, our older residents weave a special richness into our social fabric, helping to define in no small way Riverhead's greatness as a place to live and call home.

WHEREAS, it is particularly appropriate that the members of the Riverhead Town Board acknowledge the wisdom and experience that many older residents share with us as we attempt to take the best path to Riverhead's future.

WHEREAS, in 1963 President Kennedy declared the month of May as Senior Citizen's month, a tradition that lives on throughout our nation.

NOW, THEREFORE BE IT RESOLVED, that I, Phil Cardinale, Supervisor of the Town of Riverhead, together with the Town Board and all residents of Riverhead, pay tribute to our older citizens by proclaiming May, 2005 as Senior Citizens Month throughout the Town of Riverhead.

Congratulations and thank you very much.

Who would like to receive- thank you very much."

Councilman Densieski: "Okay. Thank you Town Board members and staff members. We have a little news that we'd like to report now. Unfortunately it's bad news. We have some unfortunate news to report. Our extended family, members of the Riverhead Volunteer Ambulance Corps, there was a fatal accident today. We're very upset about it. They're part of the extended family. The Town Board requested that we do a moment of silence in honor of the family and friends and the good service of our comrades at this time.

Thank you. The entire board hearts and condolences go out to all the family and friends at this time. It's just a very tough devastating day for the Town of Riverhead.

Before we start the regular business, I want to let you know about a couple changes in the resolutions. CDA Resolution #11 will now be Riverhead Town Resolution #437. CDA Resolution #12 will now be Riverhead Town Resolution #438. CDA Resolution #13 is now CDA Resolution #11.

Anybody that's here for the public hearing of Altaire Pharmaceuticals, that's being adjourned at the request of the applicant. So there will be no hearing on that tonight as previously scheduled.

Okay, let's go on to Reports, Barbara Grattan."

Barbara Grattan: "I think we have to approve the minutes, Ed."

Councilman Densieski: "Okay, sorry. Let's approve the minutes of the meeting of April 17-?"

Barbara Grattan: "19<sup>th</sup>."

Councilman Densieski: "19<sup>th</sup>. Can we get a motion on the minutes?"

Councilwoman Blass: "So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The minutes are approved."

Councilman Densieski: "Okay. Now if we can get the Reports from Barbara Grattan?"

Barbara Grattan: "Sure."

**REPORTS:**

Receiver of Taxes

Total collections to date:  
\$53,115,698.51

Utility collections report for  
April, 2005, total collected  
\$209,387.09

Town Clerk

Monthly report for April, 2005  
Total collected \$12,704.73

Industrial Development Agency

Annual report for 2004

Police Department

Monthly report for March, 2005

Barbara Grattan: "That concludes Reports."

Councilman Densieski: "Okay, thank you, Barbara. How about Applications?"

**APPLICATIONS:**

Special events permit

Church of the Harvest - May 21  
5:30 p.m. to 9:00 p.m., BBQ,  
live music

Special events permit

Church of the Harvest - July  
23, 12 pm to 5 pm, community  
day

Special Permits

Captain Hawkin's House -  
restoration - Jamesport - to  
convert an existing mansion  
into country/inn restaurant

Special Permits

1998 Peconic LLC - gas/  
convenience store east of  
Edwards Avenue, Calverton

Site Plans

South Bay Sportsplex family  
recreation facility, Phase I  
indoor recreation facility  
expansion

Site Plans

Sunken Pond Estates - renova-  
tion of entry road to property

Parade Permit

St. John the Evangelist RC  
Church - May 12<sup>th</sup>, sacrament  
of Confirmation

Barbara Grattan: "That concludes Applications."

Councilman Densieski: "Thank you, Barbara. How about correspondence to the town?"

Barbara Grattan: "No correspondence. Nobody loves us."

Councilman Densieski: "Okay. What we'll do now is start the public hearing portion. This is the advertised time and place. Barbara, could you please read off the first public hearing?"

Barbara Grattan: "Sure. I have affidavits of publishing and posting for a public hearing to be held at Riverhead Senior Center, Shade Tree Lane, Riverhead, New York on May 3, 2005, at 7:05 p.m. regarding the special permit petition of David and Mary Andruzkiwicz to allow a two family dwelling on property located at Washington Avenue, Jamesport."

Councilman Densieski: "Thank you, Barbara. Do we have somebody to speak for the applicant?"

Barbara Grattan: "You've got to open it though, Ed, 7:16."

Public Hearing opened: 7:16 p.m.

Councilman Densieski: "7:16 we're going to open the hearing. Thank you, Barbara."

Peter Danowski: "Pete Danowski. I do represent the applicants. I believe you are aware as a Town Board, we filed the application for a special permit. This involves seeking permission to use as an accessory apartment the upstairs portion of an existing garage, which is you've been in the area, is a very beautiful garage. It calls for the occupation of the upstairs area which is 1200 square feet in area.

As the Town Board is required to do, this matter was referred to the Planning Board. The Planning Board had this on a public agenda. I believe they issued a report that's favorable to the granting of this application.

The need for this is as many people find necessary, there is an elderly parent here who is widowed and we'd like to have Mrs. Andruzkiwicz's mother occupy the upstairs apartment.

So that is the application. Technically it's an application for a two family dwelling on property. It's a special permit process. I have nothing further to say."

Councilman Densieski: "Okay. Thank you, Mr. Danowski. Rick, I'm not sure. Did the Town Board receive a determination?"

Rick Hanley: "There was an appearance by the applicant at the last Board meeting and there was a resolution that was prepared and will be considered Thursday night. So- "

Councilman Densieski: "There was an appearance at the Planning Board?"

Rick Hanley: "Yes. But the resolution report will be forthcoming on Thursday. You don't have it yet."

Councilman Densieski: "Okay. Thank you, Rick. Is there anybody else that would like to speak on this matter? Angela DeVito."

Angela DeVito: "Angela DeVito, South Jamesport. I'm rather troubled by the process by which the permit has reached this stage in that the facility was finished, is completely finished for at least six months or maybe more. And basically as a property that has changed from a single family dwelling property to a two family dwelling property, it's kind of stayed under the radar with reference to having to pay appropriate taxes on it and getting all of the permits and everything that would have been necessary if the project- before you started the project.

And in that way, it's very, very disturbing. It's- and going around much of Riverhead lately, there seems to be- we seem to be becoming Brookhaven wannabes, you know, where in the Town of Brookhaven, you do it, you hope nobody sees it and then when someone does see it, it's well, it's a done deal, it's okay, we can't do anything about it.

It creates a considerable dilemma I believe for the Board in terms of issuing the permit because it is finished and it isn't a usual process to ask people, okay, you can't do it, you have to tear it down, whatever, okay. Those sorts of things that would perhaps seem reasonable but really are not.

But at the same time, there isn't anything, measure, that gets taken against the petitioner for having basically flouted the law. And what's even more surprising is that I believe the petitioner, at least one of them, is a town employee who should know and be aware even by osmosis of what the processes are that you need to follow when you become involved in a process like this.

And if I had to vote, if I was one of you voting, I would have to vote and will ask that you vote no, that the special permit not be

given. Thank you."

Councilman Densieski: "I just want to clarify one thing, Angela. I believe the Town Board has received an affidavit that the relative is not currently living there and the items that make it an apartment are not in there. We do have a written affidavit, Dawn. Yeah, okay, I recall that.

As far as the permit process, I'm not aware of any circumvention or how the procedure went- "

Dawn Thomas: "There was a building permit for the garage."

Councilman Densieski: "There was?"

Angela DeVito: "For the conversion but when that went up, Dawn, okay, it was very obvious that the upper level of it was- we're not housing cars or even using it as storage up there. It's structured, architecturally, it is being built to house. Somebody- it was being built- and you know, it may be that, for example, the, you know, what makes it a two family dwelling? It has to have a stove in it? I mean, where is- you know, the thing is what makes- where do we define what makes it a dwelling? It has to have a stove, a refrigerator? A bed?"

Dawn Thomas: "Yeah. I think you're making some assumptions though about what it was built for and how it was occupied and when. That may or may not be accurate exactly. So you should really maybe come to my office and have a conversation with me and I can give you a little more information about- "

Angela DeVito: "Well, I guess I'm asking then. Am I- "

Dawn Thomas: "So you're suggesting then that it was occupied and built prior- "

Angela DeVito: "No. I'm not suggesting that it was occupied."

Dawn Thomas: "But design really has nothing to do with occupancy. You could design a building that from your point of view may look like it's intended to be and may very well intended to be occupied at a later date. But that doesn't mean it was occupied illegally."

Angela DeVito: "I didn't make the assumption that it was

occupied illegally. I'm just saying that as a structure that went up- okay- "

Dawn Thomas: "But it was- "

Angela DeVito: "-- and converted a garage into what appears to be obvious, and, yes, that's an assumption."

Dawn Thomas: "Right. That's what I'm suggesting- "

Angela DeVito: "And it just is, you know, and the thing is that if truth be told, I do believe that was the intent all along. Okay?"

Dawn Thomas: "And it could have been but it doesn't mean that they didn't get the proper permits and do the proper (inaudible) before it was occupied. The garage in and of itself was built according to all town codes. Not the setbacks, it meets the height requirements."

Angela DeVito: "Right."

Dawn Thomas: "And anybody in town that has the property can build a garage that size."

Angela DeVito: "Yes. No, I understand that, you can do that."

Dawn Thomas: "There's different requirements now but at the time that was permissible. So whether or not it was actually occupied is not something that certainly the Town Board was aware of."

Angela DeVito: "Okay. Thank you."

Councilman Densieski: "Thank you, Angela. I believe this young lady had her hand up."

Patricia Jones: "I have photographs here."

Councilman Densieski: "You can present them to the Town Clerk."

Patricia Jones: "I'd like to read my letter to- "

Barbara Grattan: "State your name."

Patricia Jones: "Okay. Patricia Jones. I'd like to read my letter to the Office of Town Supervisor, April 29<sup>th</sup>."

Dear Mr. Cardinale: "I firmly oppose granting a variance or special permit to- "

Councilman Densieski: "Excuse me, ma'am. We are having a little technical difficulty. I want to give you another microphone because I'd like this to be heard."

Patricia Jones: "Okay. I didn't think I was hearing- "

Councilman Densieski: "We're going to try this microphone here. I apologize for that. I didn't mean to interrupt you."

Patricia Jones: "Okay."

Councilman Densieski: "Now we can hear you."

Patricia Jones: "I'd like to read my letter of April 29<sup>th</sup> to the Office of Town Supervisor."

Dear Mr. Cardinale: "I firmly oppose granting a variance or special permit to allow a two family dwelling upon real property located at 139 Washington Avenue, Jamesport, New York, with regard to the above captioned notice. This location abuts my property on the north side of 131 Washington Avenue. This is in violation of Town code Section 108 for residential zoning and I feel that these individuals should not continue to receive preferred treatment just because they are town employees. This would also set a precedent for future two family dwellings being allowed.

This structure, known as a three car garage already exists, photograph enclosed, and has been and is being occupied by David and Mary Andruszkiewicz to date. It was constructed with a finished full second story. This was never intended to be used as a three car garage.

On July 24, 2002, General Electric Company (GE Delivery) delivered into this garage the following kitchen appliances: refrigerator, range, range hood, microwave oven, dishwasher, washing machine, and clothes dryer. A copy of photographs showing the range being delivered along side the maroon Dodge Ram pickup plate number NY 12486 registered to David Andruszkiewicz. A copy is also attached of the photograph of the range actually being taken into the garage. A cesspool was also installed by Artco Cesspool on March 6, 2002.

The garage is taller and more square footage than the existing

dwelling on the property which is currently being occupied by Mrs. Margaret Komoscinski, mother of Mary Andruszkiewicz.

The permit was issued by the Town of Riverhead on 10/5/01 which is the day following the application date. All of the required paperwork was unavailable at the time of my examination. There was no demolition permit for the preexisting structure on file, the survey and the floor plans or specifications of the building plans were also unavailable.

A copy of my freedom of information request stamped Riverhead- received August 6, 2002 and a letter of denial from the office of the Town Attorney also dated August 6, 2002 are attached. The reason for denial that the requests are overly broad and do not reasonably describe existing records is not valid, as shown by the request that states permit number and tax number and a request for a copy of the building spec, floor plan, survey and inspections.

It should also be a consideration of the town that the property taxes due should be paid to date and in good standing at the time a permit is issued for major construction. The proper assessment is also necessary.

There is also the matter that the electrical line, telephone and cable line, are separate services into the garage building and are mounted on the pole which is located on the adjoining property of Philip W. Swotkewicz.

I have also witnessed David Andruszkiewicz using town equipment for his personal use on his property. One in particular, what appeared to be a large bucket loader was painted blue with the Town of Riverhead printed large in white on the sides. I am also including a copy of the photograph of the town waste management truck in the rear of their property, a sign was posted on the pole as "kenny".

Serious consideration is necessary and an internal investigation into this entire matter must be performed. This should include, but not be limited to, the construction, residency and kitchen equipment installed on the premises.

Sincerely, Patricia L. Jones."

Councilman Densieski: "Thank you. Is there any other speakers? Bernadette. I'm sorry, Sal, next. Ladies first, sorry, Sal."

Bernadette Vooras: "Bernadette Vooras, Reeves Park, Riverhead. To the Town Board. I believe that this is the next big issue in our town. I had a problem behind me a year ago, a similar, yet not exactly the same. The problem that I believe is perhaps rampant in the town. I know it is where I live. That I know that there is a need for apartments of let's say smaller fees for people who need homes. But I do not believe in illegal measurements.

The town- the house behind me, the gentleman who owned it originally carved up a hole in the foundation and put in a Bilko door and then put in a whole new door and steps to the cellar. Well I had that sealed up.

I do not begrudge anyone a place to live and I think that we need, and I know that you are working on different projects to have affordable housing or housing for the working people. But I do believe that there is need for vigilance and I do believe that having more than five unrelated people in a home where you have an excessive number of people and the home was never built for that, I think that leads to many things, cesspool, electric, the whole thing. Garbage collection, you can go through the whole thing.

I believe that the Town of Southampton a few years ago had the same problem with the summer time group and they have a law on the books five unrelated people, not more than that. And I was just wondering what our laws are. I'm going to have to find out. Hopefully it is the same and no more.

Because I do believe this is a very big problem for us because we are- we do have many people here in our town, temporarily, okay. And I think that we need to impress upon the general public that the law is the law and laws are there for a reason.

So I ask you, please, to consider this matter very- I don't know about this particular home or whatever, but I do know I can go by the one that was near me and I know it's not an exception. Thank you."

Councilman Densieski: "Thank you, Bernadette. Sal. Isn't there a school board meeting tonight, Sal?"

Sal Mastropolo: "No. Next week. Sal Mastropolo, Calverton. I just have one question. I heard Pete say that the reason that they're asking for the special permit is for an apartment for the parent. If you decide that you're going to authorize this, are you going to make it contingent on the parent living there and when the parent moves

out, the special permit goes away and it reverts back to a one family?"

Dawn Thomas: "Those conditions limiting up to— on approvals limiting occupancy to particular individuals are not permissible. They're not legal."

Sal Mastropolo: "I guess what you're saying is that mother/daughter apartments are illegal?"

Dawn Thomas: "No. I'm not suggesting that at all. What I'm saying is a permit conditioned upon the occupancy of a person— an identity, a person's identity, is not permissible."

Sal Mastropolo: "Okay. What about if you generalize and say a parent. I mean— "

Dawn Thomas: "I don't— I'd have to research— "

Sal Mastropolo: "-- my— "

Dawn Thomas: "-- that, but I don't know offhand. I don't think so."

Sal Mastropolo: "My understanding is that I think in the Town of Riverhead as well as some of the other towns, okay, the only time you're allowed two family dwellings in a one family zone is a mother and daughter situation. I know I have one on my street. Okay? Now are you saying that that is now changed, that it— and now it's illegal to stipulate that the resident must be a parent?"

Councilman Densieski: "Excuse me, Sal. We're getting off on a tangent. What we're here to do is to discuss the special permit application of this particular instance."

Sal Mastropolo: "That's right. Okay? And that's what I was addressing, the fact that Pete said that the reason they want the special permit is so that Mary's parent can live there. And what I'm saying is that if you're going to grant— if you decide to grant it, are you going to make the stipulation that it's an allowed special permit as long as only a parent lives there? And when the parent moves out, they lose the two family designation."

Councilman Densieski: "What we're here for tonight is a public hearing. We're going to hear the public's input. We'll get legal

advice from counsel and based on the information taken in, then we'll make a decision. We're here to hear you tonight."

Sal Mastropolo: "Okay, well that's my comment."

Councilman Densieski: "Thank you."

Sal Mastropolo: "You're welcome."

Councilman Densieski: "Any further comment from the public? Rolf."

Rolf Koesling: "Rolf Koesling, Wading River. About three years ago, three or four years ago, we had almost the identical thing. Somebody wanted to turn a house into a two family house but the only-it was a little different. They went to the Zoning Board of Appeals and the person had a lawyer or attorney that I would classify as unprepared and a (inaudible).

Today, we go through a different process. We have a prominent attorney that is well known and I'm just wondering, does this mean anything? I'm against two family houses in the neighborhood because things are going to proliferate. It's going to be more and more. In fact, I seen another one, same thing. They want to put permission. I'm totally against it and you're opening up a door, you know, a floodgate. Thank you."

Councilman Densieski: "Thank you, Rolf. Any other speakers on the public hearing?"

Councilwoman Blass: "Mr. Densieski, can I just ask the applicant's attorney, was there an application before the Zoning Board of Appeals?"

Pete Danowski: (Inaudible)

Councilman Densieski: "Pete indicated that there was none that he knew of, just for the record.

Anything else, Board members? Okay. I'd like to close the meeting at 7:35."

Public Hearing closed: 7:35 p.m.

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Councilman Densieski: "And as previously announced, the 7:10 public hearing of Altaire Pharmaceuticals will be adjourned at the request of the applicant.

So we'd like to open up the 7:15 meeting at 7:36. Barbara, would you like to read it, please?"

Public Hearing opened: 7:36 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Senior Center, Shade Tree Lane, Riverhead, New York on May 3, 2005, at 7:15 p.m. regarding the special permit petition of John E. Wherry to allow a two family dwelling on property located at Sixth Street, Jamesport."

Councilman Densieski: "Thank you, Barbara. Mr. Kozakiewicz, you are representing the applicant?"

Robert Kozakiewicz: "I am. Thank you Board members. I heard a lot of comments from the prior hearing. I'm here for Jack Wherry or John Wherry who has asked to have a two family dwelling or a dwelling, two family, which is allowed by special permit. I want to stress, we haven't filed any variances either. The zoning that the property is located in is Residence B-40 which allows by specially permitted use, a two family dwelling.

Like the applicant before you, or the previous hearing, we've been referred to the Planning Board, that was done by March 1<sup>st</sup> resolution of this Board. We appeared on April 7<sup>th</sup> before the Planning Board. I understand that they will be acting on it at their next meeting, the April 7<sup>th</sup> meeting.

And we are also, just for the record, in receipt of a memo from the fire marshal, Bruce Johnson, which is dated February 18<sup>th</sup>, in which he indicated he had no comments.

Mr. Wherry purchased the property in 1995. The property was improved initially in an around 1972. According to the records in the town's files, there were nine CO's issued with respect to this particular property, 37 6<sup>th</sup> Street, the first in 1972 when the original residence was constructed, the last ending in 1976 when the second floor addition was added on.

The second floor addition is a little more than 1,000 square feet. The reason I point that out is because the application

incorrectly notes or infers from the survey or from the paperwork that was submitted that it's a one story. It's a two story, just so there's no confusion on the record and in case the Board has inspected the property, you wouldn't ask well, did we have the right piece of land when we went out there to look at it.

In addition, the square footage of the premises is nearly 3300 square feet as opposed to 2,018. Again, failure to include second floor square footage.

What the applicant is seeking approval from this Board on is to convert approximately 316 square feet of space in the interior that if we were to look at the house is located on the south- well, actually if you look northerly, it would be the southwesterly portion which runs out of a 45 degree angle.

This area had previously been a master bedroom. The idea is to turn it into a separate suite about 316 feet. We expect only one occupant to be occupying this space. He would have adequate parking for the occupant. The premises is a little over 600 feet from the intersection of Washington and 6<sup>th</sup>, so there is an adequate distance not to interfere with the traffic flows on Washington.

One of the things I failed to mention and I don't know if there's anybody here who may recite the history of the parcel. It's a large house. It has- has seven bedrooms. And the reason for that is there was a lot of kids at one time in this house. They were going and coming.

So what we're proposing will have less impacts on the community. There's John, his wife, Kerry and then, of course, a renter. So the maximum we'd have is four individuals we expect living in the house. I say that because we don't expect there to be any adverse impacts on the community and if there's any questions that the Board has for us, we'll be glad to answer them. And appreciate your allowing us a change to be heard."

Councilman Densieski: "Yeah, Bob, what was the date and time of the Planning meeting again?"

Robert Kozakiewicz: "April 7<sup>th</sup>."

Councilman Densieski: "April 7<sup>th</sup>. Thank you. Is there anybody in the audience that would like to be heard? Rolf."

Rolf Koesling: "Rolf Koesling, Wading River. This is exactly what I just mentioned. Where is it going to stop? All you need it seems, you need a prominent attorney that's connected with the Town Board and you're practically in.

My neighborhood where I live in the Wildwood Section is full, well, not full but quite a number of two families living in the houses. Now they know they can make it legal, they know they can get a named attorney and it's legal. Thank you."

Councilman Densieski: "Thank you, Rolf. Congratulations."

Gretchen McErlean: "I'm Gretchen McErlean (phonetic) and this is Katherine and we live behind John Wherry's house and I don't know if it was—a rental house or not. I've been there for two and a half years. But it's a noisy house. It's a— as far as a neighbor. I don't know them, again, because we have fences around there but they're noisy, they're up late. We have a pool, they have a pool. It's loud.

And when we got the letter, first of all we're both from Sag Harbor and we saw what happened there, we both grew up there, our families are from there. And it's— I don't like the idea, Jim and I don't like the idea of a two family home at all.

And as far as a lot of kids, just sell the house to somebody that has a lot of kids. Like the attorney was saying there was a lot of kids in the house at one time, that's great. Then put in a lot of kids but I don't think it should be a two family home because it kind of changes what we have in Jamesport, in South Jamesport.

And so I appreciate and pay for what we have and we work hard for that so if somebody wants to live there, they should be able to afford to be one family in a home, that's my belief about a one family home and as well as, you know, the apartment that you were talking about prior. Just we're totally against it. So— and we also wanted to say that it's not a quiet— we haven't experienced them very quiet either.

So our concern is it's at night. Our bedroom is directly beyond, you know, on an angle to that property, they're one over and behind us, and you know it's not a considerate— it's not been a considerate neighbor already. So if you put another person in, what's going to happen? You know. So that's our question and we hope that you consider all of that."

Barbara Grattan: "What's your last name?"

Gretchen McErlean: "McErlean. It's M-C-E-R-L-E-A-N. And we live on Peconic Bay Blvd. So, thanks."

Councilman Densieski: "Thank you very much. The gentleman in the white jacket."

Robert Andruzzi: "Good evening. My name is Robert Andruzzi, A-N-D-R-U-Z-Z-I. I own the house at 66 6<sup>th</sup> Street. I'm a summer resident, have been for over 20 years. I come from Nassau County. And I know that the town of Riverhead is growing at faster leaps than probably any municipality has in many years and your need for affordable housing is the same as you know all over.

However, you have to look at the future and once you set precedent by allowing somebody who's had a rental become legal and you're opening the doors to everybody else who also wants that and your tax base is not going to match what you're giving away. And the next thing you know is builders will be in looking for allowing to build a two family house and everybody is going to be asking for more services and just as we've had in Nassau County for many, many years the growth, just- we couldn't keep up with it. And you have a problem.

And I think you have to address it by saying no to every single person that comes in and says do me a favor and let me do it but don't worry about the next one. The next one is going to be your big problem so I ask you to start now and say no to these things. Thank you very much."

Councilman Densieski: "Thank you. Any other speakers? Mrs. Pernell. Take your time."

Dorothy Pernell: "Dorothy Pernell, Jamesport, on 6<sup>th</sup> Street. I live directly across from the residence that you're talking about. I saw it built as a one family house and a couple married and built it and as the children came along, they had to add structure to it.

As far as I'm concerned and living right smack, if I go out my front door, walk across the road, I can go into their front door, which I've never done, not since you guys have been in. But anyway I have never heard any unnecessary noise. The family, you know, and Kerry, their daughter, now I guess she's about 16, 17 years old, any more than some of the loud car noises that I hear since the road has

been paved which I was opposed to. And they go through there like the hammers of hell.

However, as far- Pernell rhymes with hell, that's not nice. But anyway, as far as I can see, the structure is ample. It was naturally- the property was added- the structure was added on to because as the kids got older, they needed their privacy and the addition that was put on would be ample for a rental. It could not be- I don't think it would be able to accommodate a big family, maybe one person or a husband and wife. But, again, as I'm concerned, there's ample space for a parking arrangement for the car and it's not deterring traffic from going back and forth which I'd like to say that some of the newer people who have moved in, again, go like the hammers of hell.

So I would- I have no complaint about it and the structure itself if any of you have past there and know it, is very nicely and the Wherrys keep it up very nicely and they have rules and regulations as far as their own method of living and the way they keep the house. I have no- and I've spoken to my grandson, he owns the house across-right next to mine, and I've spoken to him, he's from Michigan. He couldn't naturally be here and he said he has no objections to it.

So I would say that it would enhance and maybe cut down on some of the- there isn't really that much property unless some of the newer houses that have been put up, maybe they would do it but, of course, you have your rules and regulations and this experience would say, sorry, you know, we're not going to do it. Thank you."

Councilman Densieski: "Thank you. Any further comment. Okay, with that said, I'd like to- sir, sorry."

Bill Ashley: "Hi. I'm Bill Ashley. I'm Jack Wherry's next door neighbor. I'm not really going to comment about Mr. Wherry because years back I went tooth and nail against two family houses in Babylon. But now I've changed my mind and I think everybody has to consider this.

Where are our children going? All my kids have left the north fork, they can't afford rents, they've gotten jobs elsewhere. They're paying less rent and making more money. We are losing our children, we're losing our work force. We're going to be just like the south side. We have to consider that. I'm really not for it but I can't be against it. I don't know what else to say about it.

Mr. Wherry has been a fine neighbor, I have no complaints. If you let him go through, I'm good with that. Thank you."

Councilman Densieski: "Thank you. Any further comment? Ma'am?"

Georgette Keller: "My name is Georgette Keller. I live at 69 6<sup>th</sup> Street. Jack Wherry's house is about four houses down and he's been a good neighbor. We're not always on the same side of the fence.

You know, we're talking about an owner occupied residence which on its fact sounds pretty good. But when I got married and I moved to New York 12 years ago, I lived in Amityville and I was on a street that had little gingerbread cottages and a bunch of little old ladies and it was, you know, a nice little area. But as some of the residents passed away and absentee landlords purchased the houses and got two family permits from the village, once there was one, then there was two, then there was four, and there came a time when our house was the only house left that was still a one family.

Now my husband purchased the property on 6<sup>th</sup> Street in 1979 from his parents who had already owned it before that and it's been a single family dwelling since then. It's part of the reason why we invested our life savings to build our family home and raise our children on 6<sup>th</sup> Street.

And now there's two on the docket tonight, the previous hearing and this hearing. And I have to say on its face because of the slippery slope it leads to, that I am opposed to it. Thank you."

Councilman Densieski: "Thank you. Any further comment? Ma'am?"

Theresa Linda: "This may be low- I have to speak- my name is Theresa Linda. I live in Jamesport. And what this lady just said speaks for me also. I am a widow. I live in a single dwelling and that was why I bought my house and I like it that way. And I really didn't buy it to have two family houses, I would have purchased somewhere else.

I pay my taxes which are within the Riverhead tax and I work to keep up this house and I'm happy there and I want it to stay the way it is. So I would vote no for both. Thank you."

Councilman Densieski: "Anybody else would like to speak? Okay.

The time is 7:51, I'd like to close the meeting."

Public Hearing closed: 7:51 p.m.

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Councilman Densieski: "And at this time we'd like to open up the meeting to public comment on resolutions with a five minute time. Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution 401. It's the budget adjustment for Mountain Brook Homes water project. Can you tell me what we spend almost \$12,000 for administrative fees? That's like 5% of the cost of the project."

Councilman Densieski: "We don't spend anything on that. Those are developer fees. We don't spend a dime on it."

Sal Mastropolo: "Well, yeah, but what you're doing is you're moving money from the developer fees to the construction, engineering expenses and administrative fees for that project. And what I'm saying is, what are we spending \$12,000 for administrative fees on a water project for?"

Councilman Densieski: "Gary, if you want to come up, can you help us out with that one?"

Gary Pendzick: "Good evening. Gary Pendzick, Superintendent of Riverhead Water District. Administrative fees from the developers cover the cost of the water district and town personnel. It costs the Water District and my time and my people's time to go ahead and supervise, inspect, watch over these projects as they are built and constructed, as well as our town accountant, our town attorneys. So these fees go into our budgets to cover the time and money lost from the projects as they proceed."

Councilman Densieski: "Okay. So it's making sure that the taxpayer isn't funding some private developer's project?"

Gary Pendzick: "Exactly."

Councilman Densieski: "Thank you, Gary."

Sal Mastropolo: "Thanks, Gary. Resolution 410. This resolution is near and dear to my heart because I've been fighting

about basic cable for a long time and I can't understand why the town is relegating its responsibility to the PSC who couldn't give two cents worth for the Riverhead- for the residents of Riverhead. Why are we giving them our responsibility to approve rate hikes?"

Councilman Densieski: "Do you have the answer, George? George has the answer."

Councilman Bartunek: "I had a- I was in Jill Lewis' office when this issue was brought up with- I was in Jill Lewis' office and I asked the same thing about this resolution. And we called Chris Kent, town attorney, and he said that this firm was selected because they have the expertise to deal with this issue. And apparently every other town with the exception of Southold, I believe, Sal, is using- "

Sal Mastropolo: "What firm are you talking about? There's no firm here."

Councilman Bartunek: "This consultant, what's- "

Sal Mastropolo: "This says the Public- the New York State Public Service Commission. I have letters going back and forth right now complaining about basic cable and the last increase. And what this says is that the town is going to give its approval- it's giving up its right to approve basic rate increases to the PSC. The PSC couldn't care about Riverhead residents. They'll rubber stamp every approval that comes- every rate increase that comes from Cablevision."

Councilman Bartunek: "Well, then, this is the conversation that I had with Jill and with Chris. They felt they had the expertise to deal with this issue and that they were going to be the best consultant. That's all I can tell you, Sal."

Sal Mastropolo: "Well, the franchise agreement- "

Councilman Bartunek: "I asked the same question and that's the answer that I got from two people that I have a lot of respect for, so- "

Sal Mastropolo: "The franchise agreement specifically states the town has the responsibility to approve rate increases for basic cable, the very basic level, okay? And that's what my issue was when they just had their last rate increase and I've got letters going back and forth to the PSC complaining about the basic rate increase."

And they came back and said it's the Town of Riverhead's responsibility as part of the franchise agreement to agree and approve. And I don't understand why we're giving up that responsibility."

Councilman Densieski: "Okay. Thank you, Sal."

Sal Mastropolo: "Okay. The Resolution- there's paperwork following Resolution #412 which has no title, it doesn't appear to be related to 412 and it doesn't appear to be related to 413. It has to do with resolution in opposition to recommendation by Congress' Joint Committee on Taxation to limit charitable deductions. It's got the number 20 written in the upper right hand corner. I'm just wondering if that was put in the packet incorrectly."

Councilman Densieski: "No. It actually is correct and it's a recommendation from Hoot Sherman of the Peconic Land Trust to advise our legislators that what they intend to do is not going to help Riverhead residents because they won't be able to receive certain benefits in donating their land or putting open space easements on their land, the way I understand it."

Sal Mastropolo: "Okay. Should there be a resolution number associated with it?"

Councilwoman Blass: (Inaudible)

Sal Mastropolo: "There's no resolution number. It seems like it's out of place."

Councilwoman Blass: "It's a separate resolution. It was marked draft."

Sal Mastropolo: "Yeah. It's marked draft and it has the number 20 written on it, but- "

Councilman Densieski: "Yeah, we'll back that one up. Thank you, Sal."

Sal Mastropolo: "You're welcome."

Councilwoman Blass: "But it is to encourage or continue to encourage a voluntary donation."

Sal Mastropolo: "I started reading it. It's just that it

seemed out of place and I couldn't understand why it was in the packet."

Councilwoman Blass: "You're right. Technically it's- it needs to be numbered."

Sal Mastropolo: "Resolution #431. I'm not sure if this is an after the fact resolution or if there's a problem with the dates because the dates just don't gel. The original scoping hearing was May 21<sup>st</sup>. May 21<sup>st</sup> falls I guess on a Saturday so they had to reschedule stuff. Okay? The availability of the draft scope of issues was scheduled to be available May 25<sup>th</sup>. Now if you go down to the third Whereas it says the date of the scoping hearing will now be the 4<sup>th</sup> day of May and the availability of the draft scope of issues will now be April 25<sup>th</sup>."

That's why I'm saying is it an after the fact, it's already done, and you're passing the resolution or is there a problem with the dates?"

Barbara Grattan: "No. There is a public hearing tomorrow on the- "

Councilman Densieski: "A scoping hearing."

Barbara Grattan: "-- scoping hearing. It was advertised- it wasn't advertised, the last resolution was incorrect. It had the wrong date on it, Sal. So in order to publish it in the paper, to have the public hearing tomorrow, they had to ratify that publication."

Sal Mastropolo: "Okay, so it was- "

Councilman Densieski: "It was posted correctly but it was advertised in the resolution incorrectly."

Sal Mastropolo: "So it was in the paper on April 21<sup>st</sup>. So then you just answered my question. It's an after the fact thing. It's already done and this is just to make it legal."

Councilman Densieski: "We're fixing the resolution."

Councilwoman Blass: "Yes. And the draft scope was available on the 25<sup>th</sup>."

Sal Mastropolo: "I just wasn't sure if the dates were incorrect. Those are my only comments."

Councilman Densieski: "Thank you."

Sal Mastropolo: "You're welcome."

Councilman Densieski: "Bernadette."

Bernadette Vooras: "Bernadette Vooras, Riverhead. Resolution 410 and I'm wearing the hat now as a member of the Senior Advisory Council."

I would like to advise every member of the Board not absolutely not to accept this, passing the buck, to the and believe me this buck won't be worth anything, to the PSC, the Public Service Commission. It is not their job, it is your job. This is a senior issue. That's what I say right now.

And since I stand for those folks, I say this. If you send this off to the PSC then you are letting down the seniors in this community. All right? It's as simple as that. This is the basic rate. We should have been fighting for this all along. Cablevision, I don't even think it realizes it has a basic rate anymore. They have no need. He owns every sports team on the east coast. But even—that's besides the fact.

Our seniors have not got, most of them, a lot of money to spare. They deserve to be able to have access to the simple channels to get news and weather. This is what it is. This is what this resolution is about.

I ask you, please, in the name of every single senior who uses just the basic, not to pass it off to the PSC because they are known for doing next to nothing for consumers. But that you stand for us, the seniors. This, you going to bat for this, and I know you can do it, you are a persuasive group, will tell the seniors in this community you really do stand for them.

And I hate to mention it, but November is coming and we're looking for people who will work for us and do for us. And I think this is something that is very important. A little matter, but not to a lot of people. Thank you."

Councilman Densieski: "Thank you, Bernadette. And just think,

some day you're going to be a senior."

Bernadette Vooras: "Well, I am. I'm 68."

Councilman Densieski: "Sal."

Sal Mastropolo: "Just one other comment on 410, I forgot to mention it. But every single Cablevision subscriber pays for basic, okay? If you're a family cable subscriber, you pay for basic, okay? So when they raise basic 10%, as a family subscriber, your basic portion goes up 10%, okay? Just so that you understand that. Basic starts— everybody has basic, and then it's piled up on top of that. It's family and then it goes the IO, and then it goes all of the expensive packages, but everybody pays basic, so every subscriber pays for it."

Councilman Densieski: "Thank you. I'm getting a sense that the Board is going to discuss it when that number comes up for a vote, so. Any other comment on resolutions? Okay, I'd like to close that portion of the meeting and close the town portion and open the CDA portion of the Town Board meeting."

Meeting adjourned: 8:05 p.m.

Meeting reconvened: 8:08 p.m.

Councilman Densieski: "Okay, Barbara, can you call the— "

Resolution #400

Councilwoman Blass: "This is a general fund budget adjustment. So moved."

Councilwoman Sanders: "Seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #401

Councilwoman Sanders: "Is a budget adjustment for the Mountain Brook Homes water project. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded. Quiet back there, please. Thank you."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #402

Councilman Bartunek: "Accepts the retirement of Sonja Butler in the Accounting Department. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders."

Councilwoman Sanders: "Congratulations to you I'm very jealous. Yes."

The Vote (Cont'd.): "Blass."

Councilwoman Blass: "Yes. We're going to miss you, Sonja. Good luck."

The Vote (Cont'd.): "Densieski."

Councilman Densieski: "Yeah, I agree. Thank you, Sonja. Yes.:"

Barbara Grattan: "The resolution is adopted."

Resolution #403

Councilwoman Blass: "This accepts the offer of sale of development rights from Alfred Popp and Mary Jane Popp. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #404

Councilwoman Sanders: "Awards bid for additional items added to the annual asphalt contract. So moved."

Councilwoman Blass: "And seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #405

Councilwoman Blass: "Awards the bid for the Connecticut Avenue culvert replacement. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #406

Councilman Bartunek: "Rejects a bid for Altec Model AT37-G bucket truck and authorizes the Town Clerk to post and publish the attached notice to bidders. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #407

Councilwoman Blass: "Awards bid for sporting goods. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #408

Councilwoman Sanders: "Extends bid contract for calcium hypochlorite tablets. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #409

Councilman Bartunek: "Ratifies the submission of a grant application to Keyspan Corporate Giving Program. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #410

Councilwoman Blass: "Mr. Chairman, I'd like to make a motion to table Resolution #410 for further discussion."

Councilman Densieski: "Do we have a second?"

Councilwoman Sanders: "Second."

Councilman Densieski: "Moved and seconded to table 410 for discussion."

The Vote: "Bartunek."

Councilman Bartunek: "Yes, to table."

The Vote (Cont'd.): "Sanders, yes; Blass, yes; Densieski, yes. The resolution is tabled."

Resolution #411

Councilwoman Sanders: "Sets non-resident fees for summer recreation program. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #412

Councilwoman Blass: "Discussion. I believe this resolution needed some further clarification that we were going to get from Jill and I don't know if we received it in time. It was a recommendation from the CDA director that perhaps we should table this resolution as well.

I'd like to make a motion to table Resolution 412."

Councilman Densieski: "Is there a second?"

Councilman Bartunek: "I'll second that resolution- to table it."

Councilman Densieski: "Moved and seconded to table."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. That resolution is tabled."

Resolution #413

Councilwoman Blass: "Appoints beach attendants to the Recreation Department. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #414

Councilman Bartunek: "Appoints lifeguard to the Recreation Department. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, abstain; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #415

Councilwoman Blass: "Appoints a Park Attendant III, Level II, to the Riverhead Recreation Department. So moved."

Councilwoman Sanders: "And seconded."

The Vote: "Bartunek, abstain; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #416

Councilwoman Sanders: "Appoints a Waterfront Coordinator Level VIII to the Recreation Department. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, abstain; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #417

Councilman Bartunek: "Authorizes the selling of annual and daily non-resident beach permits, South Jamesport boat ramp permits by Warren's Bait & Tackle and Fishermans Deli. Also authorizes the selling of resident and senior resident parking permits, annual and daily non-resident parking permits by Wading River Tackle Center, Inc. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #418

Councilwoman Sanders: "Appoints a Maintenance Mechanic II in the Water Department. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "And seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #419

Councilwoman Blass: "Appoints temporary clerks to the Tax Receiver's office. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #420

Councilman Bartunek: "Authorizes the Town Clerk to publish and post notice to bidders for water meters and accessory equipment for use by the Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #421

Councilwoman Sanders: "Authorizes the Supervisor to execute a license agreement with ASCAP in the amount of \$260.00 a year for the right to play prerecorded music. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #422

Councilman Bartunek: "Authorizes the Supervisor to execute a satisfaction of mortgage. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #423

Councilwoman Blass: "Accepts Suffolk County National Bank irrevocable letter of credit of Vinland Commons LLC. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #424

Councilwoman Sanders: "Approves the Town of Riverhead police department's participation in Call to Protect program. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #425

Councilman Bartunek: "Authorize the Town Clerk to publish and post public notice of public hearing to consider a proposed local law for an amendment of Chapter 101 entitled, Vehicles & Traffic of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #426

Councilwoman Blass: "This approves a Chapter 90 application of Little Flower Children's Services of New York. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #427

Councilwoman Blass: "There are several amendments to this resolution that I'd like to make before I move it. The first Resolve- the second Resolve clause needs to read in the following way. Resolved that the improvements described as Phase I submitted by Bolar Engineering. We cross the word site plans and we insert improvements described as Phase I.

The top of the next page located at Old Country Road, Riverhead, New York and elevations needs to be inserted.

When we get to #12, entire paragraph 12 needs to be deleted.

#13 becomes #12; #14 becomes #13; #15 becomes #14 and gets rewritten as follows. That no building permit shall issue prior to

the posting of a performance bond in the amount of \$150,000 to ensure the completion of Phases I and II and no CO shall issue prior to the completion of Phases I and II as depicted on the site plan prepared by Bolar Engineering.

I apologize for the extent of those- "

Councilman Densieski: "Barbara- "

Councilwoman Blass: "I have it written- I do have it written but I wanted to read them into the record and we did not have any clerical staff available when we realized this needed to be done."

Councilman Densieski: "Sure. If you could make sure Barbara gets a copy of that."

Councilwoman Blass: "Sure."

Councilman Densieski: "Thank you."

Barbara Grattan: "Can you give it to me now, Barbara?"

Councilwoman Blass: "I can do that."

Barbara Grattan: "Thank you."

Councilwoman Blass: "If you have problems reading it, I can verify it in the morning."

Councilman Densieski: "Okay. So I believe we have as a motion to- with an amendment."

Councilwoman Blass: "Motion to amend- to move as amended."

Councilman Densieski: "As amended."

Councilwoman Blass: "Site plan of County Seat Plaza at Riverhead Phase I."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. That resolution is adopted as amended."

Resolution #428

Councilwoman Blass: "This resolution ratifies the authorization of the Town Clerk to publish and post a help wanted ad for full time Deputy Town Attorney in the Town Attorney's Office. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #429

Councilman Bartunek: "Appoints a part time town- ZEA Town Attorney, Scott DeSimone. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #430

Councilwoman Sanders: "Authorization to publish advertisement for proposals for 2005-2006 snack vendor services. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. That resolution is adopted."

Resolution #431

Councilwoman Blass: "This resolution amends Resolution #387 of 2005 and ratifies the publication of the amended hearing notice. Declares lead agency, determines environmental significance and authorizes the Town Clerk to post and publish notice of scoping hearing site plan petition of Headriver, LLC, Wal-Mart store. So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #432

Councilman Densieski: "Hold on one second, George. 432, in the first Resolve, next to my name, I'd appreciate if the Board would include liaison so as not to be mistaken as member."

Was there something else- "

Councilwoman Blass: "I also have an amendment to add on, if I can, Mr. Chairman."

Councilman Densieski: "Sure."

Councilwoman Blass: "The second Whereas, I would like to propose to delete the words liaison group and substitute the word committee. And in the first Resolve, I'd like to propose that it reads: that the following Board hereby appoint the following individuals to the public parking district advisory committee."

Councilman Densieski: "Okay. If we can get George to move it with those amendments."

Councilman Bartunek: "Resolution 432 reestablishes the membership of the public parking district advisory committee as revised. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I'd just like to take a moment to thank all these members. They're all volunteers and they're pretty hard working. So I'd like to thank them. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #433

Councilman Bartunek: "Classifies action and declares lead agency on special permit 1998 Peconic LLC, directs application to the Zoning Board of Appeals and refers petition to the Planning Board. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #434

Councilwoman Blass: "Mr. Chairman, I have an amendment to this resolution before I move it, please."

Councilman Densieski: "Sure."

Councilwoman Blass: "In the floor area gross definition on the one, two, three, four, five, the sixth line, we need to delete that comma seven feet, the comma comes out, it's actually seven feet six inches, not seven feet and then six inches. So we delete the comma seven feet six inches comma with parenthesis seven feet numerically represented as well. And at the end of that sentence, we have to take out etc. Required stairways and public restrooms comma etc. We need to delete the etc. and put a period after that."

With those amendments, I'd like to move Resolution #434 which adopts a local law to amend Chapter 108 entitled Zoning, specifically Section 108-3 on definitions. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded as amended."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I've got a quick comment. The floor area ratio in my opinion is going to discourage quality projects. I believe lobbies, hallways, laundries and the back of the house areas will not be exempt so in turn we will have narrow hallways, smaller lobbies, less grandeur. I know if that's the hot ticket for a motel

in Riverhead. We need to think about upscaling these things and making better projects. I think it's going to discourage large conference rooms and large meeting rooms. So with that said, I'm going to vote no."

Barbara Grattan: "Okay. The resolution is adopted."

Resolution #435

Councilman Bartunek: "Declare lead agency and determines environmental significance of the bond authorization of \$500,000 for the resurfacing of various roads within the Town of Riverhead. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Resolution #436

Councilwoman Blass: "436 was to pay bills."

(Some discussion among Board members about resolution numbers)

Councilman Densieski: "You want to make Bills 436, Barbara?"

Barbara Grattan: "Okay. Is that what you're going to do, the bills then, 436?"

Councilman Densieski: "Sure, we'll make paying bills Resolution #436, if we could get somebody to move it."

Councilwoman Sanders: "So moved."

Councilman Bartunek: "And seconded."

Councilman Densieski: "Moved and seconded to pay bills."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution to pay bills is adopted."

Barbara Grattan: "Okay, now we can go to 437 declaring lead

agency."

Resolution #437

Councilwoman Blass: "Declares lead agency and determines significance of the proposed condemnation of the title interest, if any, that Swezey Riverhead Holding LLC has in the properties described herein, located on Main Street and Roanoke Avenue, Riverhead, New York. So moved."

Councilman Bartuenk: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes."

Resolution #438

Councilman Bartunek: "Resolution is for scheduling a public hearing pursuant to Article 2 of the New York State Eminent Domain Procedure Law in connection with the condemnation of the title interest, if any, that Swezey Riverhead LLC has in the properties located herein, located on Main Street and Roanoke Avenue in Riverhead. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Barbara Grattan: "And I guess that's it. What about the resolution- "

Councilman Densieski: "Resolution #439."

Barbara Grattan: "Okay. 439. Who wants it?"

Councilman Densieski: "Barbara?"

Resolution #439

Councilwoman Blass: "I'd like to delete the word draft from the

top and move— and, thank you, date it 5/3 of 2005. I'd like to move resolution 439 which opposes a recommendation by Congress Joint Committee on Taxation to limit the charitable deductions related to gifts of land and conservation easements. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Moved and seconded."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes. The resolution is adopted."

Barbara Grattan: "That's it."

Councilman Densieski: "Okay. That concludes the resolution portion of the Town Board meeting."

At this time, we can talk about any town business. Feel free to come up and speak. The five minute rule will be in effect. Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. You know the roadway that we changed from one way to two, which goes from what is it Osborne or Roanoke— where the hospital is, into Best Foods. That road needs to be repaved or at least the potholes need to be refilled. It looks like a mine field. Not the entrance from 58. The side entrance which we changed to a two way, yeah. There are a lot of potholes. It's loaded with potholes. Okay, that's number one."

Number two. I listen to the work sessions on Channel 22 and can I make a suggestion that everybody gets a mike? Okay? A lot of times, Barbara speaks very low and her voice fades out so you hear half of the conversation but not the other half. So just a suggestion. I mean it would make it a lot more meaningful if we could hear everybody's comments.

Another thing about those sessions, a lot of times they get cut off. Okay? You'd be watching for an hour, okay, and boom, you look and they start to post the schedules of the landfill and I say, geez, can't we at least show them to the end? You're in the middle of a discussion— "

Councilwoman Sanders: (Inaudible)

Sal Mastropolo: "Well, it gets aggravating when you listen and you're waiting to hear the conclusion and you lose it. Okay?"

Councilman Densieski: "Yeah. Dave's here. Dave, I guess you and Terry work on that. If you could look into that tomorrow, we'd appreciate it."

Sal Mastropolo: "Relative to the garbage problem, you guys must be getting tired of talking about it because I know I'm getting tired of hearing about it. Okay? It's the— it's the stores in Riverhead; it's their responsibility. Okay? Either tax them, okay, for the garbage and collect ourselves, okay? Or I like the suggestion that they must tell you how they get rid of their garbage, but I mean it's ridiculous that the residents of Riverhead have to support the businesses by supplementing their tax— their garbage collection. Okay? Why should Riverhead be paying for dumpsters or enclosures or letting them use public land for their dumpsters. It's their responsibility."

Councilman Densieski: "It is and it's a problem but we're trying to fix it and I think we're closer."

Sal Mastropolo: "Well, I'll be waiting to hear what you have to talk about."

On the theater in zone 3, I mean I'd love to have a theater in Riverhead. Would it be possible to put that up for public hearing, the decision as to whether we should change the zone to allow the theater in zone?"

Councilman Densieski: "We already did."

Sal Mastropolo: "Oh, it is scheduled for public hearing?"

Councilman Densieski: "No. We already had a public hearing."

Councilman Bartunek: "Last Town Board meeting."

Sal Mastropolo: "Oh, I missed it because I was at the school board meeting."

Councilman Densieski: "Now I remember why I voted for you."

Sal Mastropolo: "And I have one other question. It seems like we're establishing committees for everything. We have an Animal Committee, we have a Public Parking Committee. The one thing we don't have an advisory committee on, I recommended it about two years ago and it went— and that was the Finance Advisory Committee. Probably

the most important one thing in the town of Riverhead and we don't have a Finance Advisory Committee to review the financial aspects that are being brought to the Town Board and to provide advice, even if it's to evaluate the cost versus the— you know, the revenue versus the cost or the return on investment. And with that, I'll leave you."

Councilman Densieski: "Thank you, Sal. Any other speakers? Going once, twice. Meeting adjourned. Thank you, Board."

Meeting adjourned: 8:08 p.m.

*Barbara Heaton  
Town Clerk*